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Attorneys for Defendant Ada Mae Woffinden *nee* Johnson

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

VIOLET BLUE,

Plaintiff,

v.

ADA MAE JOHNSON, *et al.*,

Defendant.

CASE NO. CV 07-05370 SI

**DEFENDANT JOHNSON'S
RESPONSE TO EX PARTE
APPLICATION FOR AN
ORDER TO SHOW CAUSE RE:
DEFENDANT'S COMPLIANCE
WITH PRELIMINARY INJUNCTION
AND JUNE 24, 2008 ORDER**

Assigned to Hon. Susan Illston
Courtroom 10, 19th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

COMES NOW the Defendant Ada Mae Woffinden *nee* Johnson and, as her response to Plaintiff's application for an order to show cause re: Defendant's Ex Parte Application for an Order to Show Cause re: Defendant's Compliance with Preliminary Injunction and June 24, 2008 Order, states the following:

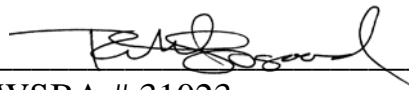
Plaintiff's Application is, admittedly, based upon Fed. R. Civ. P. 5, which Rule Defendant Woffinden respectfully submits relates *only* to "parties" to an action. *See Fed. R. Civ. P. 5(a)*. However, even if Fed. R. Civ. P. 5 applies in this situation, Defendant Woffinden respectfully submits that she complied with the Rule per Fed. R. Civ. P. 5(b)(2)(D). Defendant has submitted to this Honorable Court its "RESPONSE to re [111] Case Management Conference - Further Notification of Third-Parties of Permanent Injunction by Ada Mae Johnson" and the exhibit thereto in response to this Honorable Court's Order dated June 24, 2008, identifying those individuals who had been served with copies of the Preliminary Injunction.

If this Honorable Court determines that this notification is insufficient under Fed. R. Civ. P. 4(l), the applicable Rule Defendant Woffinden submits is the controlling Rule in this situation, Defendant Woffinden stands ready to provide the notification to the Court in such form as this Court may instruct.

Dated this 3rd of September 2008.

Respectfully submitted,

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WSBA # 31023

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CERTIFICATE OF SERVICE

I, Robert S. Apgood, do hereby certify that on the 3rd of September 2008, I caused true and correct copies of the following:

1. Defendant Johnson's Response to Ex Parte Application For Order to Show Cause; and
2. this Certificate of Service

to be served on:

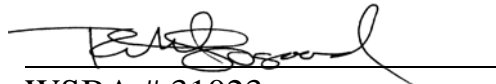
Collette Vogele
Vogele and Associates
12 Geary Street, Ste. 701
San Francisco, CA 94108

by facsimile, by electronic mail, and by depositing copies of the same in the U.S. Mail, postage prepaid.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed at Seattle, Washington,

DATED this 3rd of September 2008.

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